

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JOE ANDREW SALAZAR,

Plaintiff,

v.

HTC CORPORATION and AT&T, Inc.,

Defendants.

§ Civil Action No. 2:16-cv-01096-JRG-RSP

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§ JURY TRIAL DEMANDED

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**DEFENDANT AT&T INC.’S NOTICE OF JOINDER REGARDING HTC
CORPORATION’S OPPOSITION TO PLAINTIFF’S MOTION FOR LEAVE TO
CORRECT/AMEND SECOND AMENDED ORIGINAL COMPLAINT¹**

Defendant AT&T Inc. (“AT&T”) respectfully notifies the Court that AT&T hereby joins in support of and seeks the same relief requested in Defendant HTC Corporation’s Response in Opposition to Plaintiff’s Motion for Leave to Correct/Amend Second Amended Complaint (Dkt. No. 64), for at least the reasons set forth therein. AT&T also respectfully clarifies for the Court that AT&T Mobility LLC—not AT&T Inc.—would have been the proper corporate entity to join as a defendant, to the extent Plaintiff intended to join the AT&T entity that sells the accused HTC smartphones.² As set forth in AT&T’s Motion to Dismiss Plaintiff’s Second Amended Complaint, which was filed concurrently with the present motion for leave, AT&T Inc. is only a holding company and does not itself sell or offer for sale any of the accused HTC smartphones.

¹ The Second Amended Complaint erroneously identifies defendant AT&T Inc. as “AT&T, Inc.”

² As stated in AT&T’s Partial Joinder to HTC’s Corp.’s Motion to Sever and Stay Claims Against Newly-Added Defendant AT&T Inc., which was filed concurrently with the present motion for leave, AT&T disputes that AT&T Inc. and/or AT&T Mobility LLC should be made to litigate claims focused exclusively on the operation of the accused HTC smartphones when the true defendant—the manufacturer of those devices, HTC—is already present in the litigation.

DATED: July 26, 2017

PAUL HASTINGS LLP

By: /s/ Christopher W. Kennerly

Christopher W. Kennerly
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AT&T INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on July 26, 2017, to all counsel of record who have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5.

/s/ Christopher W. Kennerly